

RÉSUMÉ DIGEST

ACT 479 (HB 684)

2025 Regular Session

Mack

Existing law and new law provide relative to the use of seclusion and physical restraint in response to the behavior of students with exceptionalities.

Role of Public School Governing Authorities, State Department of Education (DOE), and State Board of Elementary and Secondary Education (BESE)

Existing law requires each public school governing authority to:

- (1) Adopt written guidelines and procedures regarding seclusion and physical restraint.
- (2) Provide such guidelines and procedures to DOE, all school employees, and every parent or legal guardian of a student with an exceptionality.
- (3) Report all instances where seclusion or physical restraint is used to respond to student behavior to DOE.

New law requires each public school governing authority to annually submit such guidelines and procedures to its special education advisory council as provided for in existing law (R.S. 17:1944.1).

Existing law (R.S. 17:7) provides for the duties and responsibilities of BESE. Prior law required BESE to prepare and adopt rules and guidelines for the appropriate use of seclusion, physical restraint, and mechanical restraint of students with exceptionalities as defined in existing law (R.S. 17:1942), in accordance with existing law (Administrative Procedure Act (APA)). New law instead requires BESE to prepare and adopt rules and guidelines for providing safe learning environments through training and monitoring of the appropriate use of seclusion and physical restraint of students with exceptionalities as defined in existing law (R.S. 17:1942), in accordance with the APA.

Use of Seclusion and Physical Restraint

Existing law defines "seclusion" as a procedure that isolates and confines a student in a separate room or area. Prior law specified the duration of the seclusion was until a student was no longer an *immediate danger* to self or others.

New law revises definition to provide that:

- (1) The room or area is *designated* for the purpose of seclusion.
- (2) The duration of the seclusion is until a student is no longer an *imminent risk of harm* to self or others.

Prior law defined "physical restraint" as bodily force used to limit a person's movement. New law revises definition to: the use of manual restraint techniques that involve physical force applied to restrict the movement of all or part of a person's body. Existing law prohibits mechanical restraint on students with exceptionalities.

Further, new law:

- (1) Requires physical restraint to only be used by trained personnel, except in emergency situations in which there is not sufficient time to have trained personnel respond.
- (2) Provides that physical restraint *does not* mean a school employee holding a student for less than three minutes within an hour for the protection of the student or others.

Prior law required a student who was secluded or physically restrained to be continuously monitored and requires documentation of such monitoring every 15 minutes. New law

instead requires the student to be monitored while seclusion or physical restraint is used and removes the time component.

Prior law, relative to parental notification of the use of seclusion or physical restraint, required notification as soon as possible. New law instead requires such notification via a phone call as soon as is practicable but no later than the end of the same school day during which the seclusion or physical restraint was used.

New law requires that a school nurse or school health designee visit a student who was secluded or physically restrained as soon as possible after such restraint has occurred, but no later than the end of the same school day, to look for and document any signs of injury or distress.

Existing law provides that if a student is involved in a certain number of incidents involving seclusion or physical restraint in a school year, the student's Individualized Education Program (IEP) team is required to review and revise the student's intervention plan. Prior law provided that the number of incidents was five. New law reduces the incident number threshold from five to three, and requires the special education teacher to send prior written notice of the intention to call an IEP team meeting to the student's parent or legal guardian.

New law defines "crisis intervention", "school health designee", and "sensory room". New law distinguishes between a sensory room and a seclusion room.

Teacher Preparation and Certification

New law (R.S. 17:7.2) requires teacher preparation programs to include completion of a crisis intervention training program and authorizes such instruction to be incorporated into an existing course of study.

Existing law (R.S. 17:8.1) provides for the certification of teachers. New law requires that an applicant complete a crisis intervention training program created or approved by DOE, and authorizes DOE to create such a program.

Cameras in Special Education Classrooms

Prior law (R.S. 17:1948) required each public school governing authority to install cameras in certain classrooms at the request of a parent. New law requires such installation regardless of a parental request. Further requires each public school governing authority to verify periodically that the cameras remain in operation, and requires a school to notify the parents of students in a classroom if a camera in the classroom is out of operation for more than two consecutive school days.

Effective on December 1, 2025, except that new law provisions relative to cameras in certain classrooms are effective February 1, 2026.

(Amends R.S. 17:7(5)(b)(i), 416.1(B)(3)(b), 416.21, 1944.1(A) and (D)(1)(intro. para.), 1948(A) and (B); Adds R.S. 17:7.2(A)(10), 8.1(A)(8), 1944.1(D)(1)(d), and 1948(A)(3); Repeals R.S. 17:1948(C)(7) and (9) and (G))